



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 24, 2002

Travis Clayburn
Rock-It Stone Works
375 South 900 East
P. O. Box 386
Duchesne, Utah 84021

Re: Acceptance of Notice of Intention to Commence Small Mining Operations, Rock-it Stone Works, Strawberry River Project, S/013/008, Duchesne County, Utah

Dear Mr. Clayburn:

Thank you for your Notice of Intention to Commence Small Mining Operations (NOI) and initial permit application fee, received by the Division on April 15, 2002. The proposed Strawberry River Project is located in the SE1/4 of Section 16, Township 4 South, Range 7 West, USBM, Duchesne County, Utah. The application is considered complete and no additional information is required by the Division at this time. **You may commence with your mining operations as outlined, provided you have satisfied and received written acceptance from Duchesne County, the surface and mineral owner(s), and any other appropriate entity with jurisdiction over the operation.**

The NOI includes requests for variances from topsoil salvage and highwall reclamation requirements. The Division can approve these requests with some conditions. Topsoil salvage is not feasible for areas above the highwall or in areas that have already been disturbed, but there are areas next to the road that have not yet been disturbed and that appear to have topsoil that could be salvaged. Topsoil should be salvaged in these areas.

Although there are numerous natural cliffs in the area, it should be possible to partially backfill and reclaim the highwall using waste material left over from the quarrying operation. Upon reclamation, this material should be pushed up to the base of the highwall.

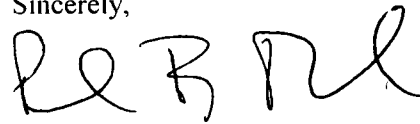
In accordance with rule R647-3-105 regarding the project location, the areas to be disturbed should be plotted on a map in sufficient detail so that they can be located on the ground. **It is also required that the operator mark the proposed (5 acre or less) disturbed area boundary (including access/haul roads) in the field with metal T-Posts (or with some other marker of equal effectiveness). Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.**

The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Small Mining Notices require a \$100.00 annual fee.

For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-1 and 2). Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized flourish at the end.

Paul B. Baker
Senior Reclamation Biologist

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Enclosure

cc: Duchesne County

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IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

(SMO-1)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.
6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by ripping, discing, or harrowing.
13. Reseed disturbed areas with adaptable species. (The Division recommends seeding 20 lbs./acre of native and introduced species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4-1/2 inch into the soil - fall is the preferred time to seed.

(SMO-2)

Failure to Reclaim

Section 40-8-14 (6) of the State of Utah Mined Land Reclamation Act, states the following:

If the operator of a small mining operation fails or refuses to carry out necessary land reclamation as required by this chapter and the rules of the Board; the Board, after notice and hearing, may order that:

- (a) reclamation be conducted by the Division;
- (b) the costs and expenses of reclamation, together with the costs of collection, including attorney's fees, be recovered in a civil action brought by the Attorney General against the operator in any appropriate court.